

**UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HANNA BOUVENG,

Plaintiff,

-against-

NYG CAPITAL LLC d/b/a NEW YORK GLOBAL
GROUP, NYG CAPITAL LLC d/b/a FNL MEDIA
LLC, and BENJAMIN WEY,

Defendants.

Case No. 14-cv-5474(PGG)

**DECLARATION OF
BENJAMIN WEY**

COUNTY OF NEW YORK)
) ss.
STATE OF NEW YORK)

BENJAMIN WEY, in accordance with 28 U.S.C. § 1746, hereby declares under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. I submit this declaration to address certain discovery matters.
2. Defendant NYG Capital LLC d/b/a New York Global Group (“NYGG”) uses the email domain name @nygggroup.com. The email accounts are hosted by a web-based Chinese service called icore.
3. An independent, self-employed technology consultant in China named Jonathan Lu assisted NYGG in technological matters relating to email management prior to the period of Plaintiff’s employment and through her termination.
4. Mr. Lu is a Chinese citizen residing in China. He has never been an employee of NYGG.
5. Through April 2014, NYGG’s practice upon departure of an employee was to promptly inform Jonathan Lu that the email account of that employee was no longer needed. Mr.

Lu would then deactivate and remove the email account of that employee. NYGG would also provide Mr. Lu with an automatic outgoing message announcing the employee's departure. The automatic message would typically be available for about a week after the person had departed.

6. In keeping with the same practice, on or about April 22, 2014, the day that the Plaintiff was terminated, I notified Jonathan Lu by telephone that "hannab@" was no longer associated with the firm. I also told him over the phone what the automatic reply message for this account should say. I expected the account would be de-activated in a few days, in keeping with past practices.

7. I made this request on or about the day of the Plaintiff's termination, nearly a full week prior to any communication from Plaintiff's counsel.

A handwritten signature in dark ink, consisting of a large, stylized loop followed by a horizontal line.

Benjamin Wey

Dated: April 8, 2015